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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/750,742	12/28/2000	Joseph W. Cole	COLEP.0006P	7208
32856	7590	11/22/2005	EXAMINER	
WEIDE & MILLER, LTD. 7251 W. LAKE MEAD BLVD. SUITE 530 LAS VEGAS, NV 89128			COBURN, CORBETT B	
			ART UNIT	PAPER NUMBER
			3714	

DATE MAILED: 11/22/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/750,742	Applicant(s) COLE ET AL.	
	Examiner Corbett B. Coburn	Art Unit 3714	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 November 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 47-60 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 47-60 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 13 October 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 47-51 & 57-60 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fey (*Slot Machines, A Pictorial History Of The First 100 Years*) in view of Luciano, Jr. et al. (US Patent Number 6,050,895).

Claim 47: Fey teaches a 1904 Big Six slot machine. (Page 88) The Big Six is a game station with a base unit having a first side and an opposing second side, and a first end and a second end. The base unit defining at said first side a player station for use by a first single player generally facing said first side of said base unit. The base unit includes a base portion (legs) and a console extending upwardly from the base portion. The base portion and console are positioned between the first end and the second ends of the base unit. The console includes a first face corresponding to the first side of said base unit. The Big Six has a first and second display (the dials) that are positioned sufficiently proximate to one another to be viewed at the same time by the first single player of the first station – a player can clearly see both dials. There is a first game controller (the gears controlling the dial on the left) adapted to present first wagering game information corresponding to a first wagering game on the first display in response to a first wager placed by the first player. There is a second game controller

(the gears controlling the dial on the right) adapted to present second wagering game information on the second display corresponding to a second wagering game in response to a second wager placed by the first player. The player may concurrently view said first and second wagering game information presented on said first display and said second display. The first and second game controllers are configured to independently generate the first and second wagering game information such that the first and second wagering games and their outcomes are independent. There is at least one wager-accepting device (the coin heads at the top of each game) at the game station adapted to accept a wager placed by a player of the player station and allocate values to one or more of the first or second game. There is at least one input device (the handle below each dial) permitting the player to provide input to the game station affecting the first and second gaming information presented to the player by the first and second display – the player activates the handle to start the game. The Big Six fails to teach a first and second video display. Luciano teaches a first and a second electronically controlled video display (105a & b) at the first face of said console. These displays are controlled by separate electronic controllers (107a & 107b). It is extremely well known to update technology to replace mechanical devices with electronic components because the computerized versions are more flexible. It would have been obvious to one of ordinary skill in the art at the time of the invention to have modified the Big Six in view of Luciano to include video displays electronically controlled by computerized controllers in order to update the technology and increase the flexibility of the game.

Claim 48: Fey teaches the invention substantially as claimed including placing two

gaming units back to back. (See the front cover.) This configuration is **EXTREMELY** common in casinos because it allows casinos to make the best use of available floor space. In a back-to-back configuration, the second player corresponds to the first player of claim 47. The third and fourth games correspond to the first and second games respectively.

Claim 49: Luciano teaches a master controller (512) that is configured to control the first and second game controllers. Each gaming terminal (100a & b) is disclosed as being the same as that depicted in Fig 1. Each gaming terminal then has a first and second controller (Fig 1b) that is controlled by the controller (512). (See Fig 5 & Col 11, 27 – Col 12, 8.)

Claim 50: Luciano's base portion is generally upwardly extending and defines a first vertical surface. Fig 1b shows that the game controllers are mounted on the respective vertical surfaces extending upwardly from the base.

Claim 51: Luciano teaches a housing located between the console (where the screen is located) and the second end. There is a first and second wager accepting device (106 & 108) in the housing.

Claim 57-60: Fey teaches providing chairs for the convenience of players. (Page 212) It would have been obvious to one of ordinary skill in the art at the time of the invention to have provided chairs for the convenience of players. The height of the cabinet, the location of controllers within the cabinet and the physical location of devices associated with the cabinet are all a matter of design choice. Such factors do not patentably

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distinguish over the prior art since they do not solve any stated problem or produce unexpected results.

3. Claim 52 is rejected under 35 U.S.C. 103(a) as being unpatentable over Fey and Luciano as applied to claim 47 above, and further in view of Lucero (US Patent Number 5,457,306).

Claim 52: Fey and Luciano teach the invention substantially as claimed, but fail to teach a keypad mounted between the displays on each face of the console. Lucero teaches a keypad mounted on a slot machine cabinet that allows the player to use a general-purpose charge card to wager on the game. This allows a player who does not have a house card to play without going through the procedure for getting one. (Col 1, 67 – Col 2, 8) This flexibility increases the likelihood of players betting. It would have been obvious to one of ordinary skill in the art at the time of the invention to have modified Fey and Luciano in view of Lucero to mount a keypad in the slot machine cabinet (i.e., on the face of the console) in order to allow a player who does not have a house card to play without going through the procedure for getting one, thus providing flexibility that increases the likelihood of players betting. Regarding the placement of the keypad on the face of the console, placing the keypad between the two displays would facilitate use of the keypad with either or both of the displays. This would increase player convenience. It would have been obvious to one of ordinary skill in the art at the time of the invention to have placed the keypad between the two displays in order to facilitate use of the keypad with either or both of the displays, thus increasing player convenience.

4. Claims 53-56 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fey and Luciano in view of Walker (US Patent Number 6,113,495).

Claim 53 & 55: Fey and Luciano teach the invention substantially as claimed (see Claim 47) but do not teach a non-game video feed to the first or second display such that the player may see the video feed on one of the same displays presenting the first and second game information. Walker teaches displaying all game information and a non-game video feed (i.e., television programming) on a single display. Video display area (346) displays video feed and slot machine reels. (Col 7, 17-49) Walker teaches that displaying video enhances player retention. (Title) It would have been obvious to one of ordinary skill in the art at the time of the invention to have modified Fey and Luciano in view of Walker to include a non-game video feed to the first or second display such that the player may see the video feed on one of the same displays presenting the first and second game information in order to enhance player retention.

Claim 54: Fey teaches the invention substantially as claimed including placing two gaming units back to back. (See the front cover.) This configuration is **EXTREMELY** common in casinos because it allows casinos to make the best use of available floor space. In a back-to-back configuration, the second player corresponds to the first player of claim 47. The third and fourth games correspond to the first and second games respectively.

Claim 56: Walker teaches a gaming machine with two video screens (362 & 346). The video feed may be displayed on either device. Player interface (370) is used to select the desired video and must be used to determine which display the video is played on since the video is not played on both displays.

Response to Arguments

5. Applicant's arguments with respect to claims 47-56 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Kawabata et al. (US Patent Number 6,514,145) has an adjustable height and provides a chair. Werdin, Jr. et al. (US patent Number 5,655,966) provide a chair.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Corbett B. Coburn whose telephone number is (571) 272-4447. The examiner can normally be reached on 8-5:30, Monday-Friday, alternate Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Cheryl J. Tyler can be reached on (571) 272-4834. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Corbett B. Coburn
Examiner
Art Unit 3714